

Estimate of Reasonable BNYM Defense Costs			Lower reasonable estimate (\$)	Lower reasonable estimate (# of hours)	Exhibit 12019-0112-Cohort-Part2	Higher reasonable estimate (\$)	Higher reasonable estimate (# of hours)	Exhibit 12019-0112-Cohort-Part2
					Explanation			Page 2 of 2
<b>Attorney Fees</b>								
Case Assessment								
	Fact Investigation	\$ 600,000	750	3 associates and 2 partners working 150 hours per month for one month	\$ 1,200,000	1500	One additional month compared to low estimate	
	Analysis/Strategy	\$ 288,000	360	3 partners working 1 (40 hour) week and 3 associates working 2 weeks	\$ 480,000	600	3 partners working 2 weeks each and 3 associates working 3 weeks each	
	Experts	\$ 160,000	200	1 associate working 1 week and 1 partner working 10 hours, for a total of 50 hours per expert, multiplied by 4 experts	\$ 320,000	400	2 associates working for 1 week and 2 partners working 10 hours, for a total of 100 hours per expert multiplied by 4 experts	
	Other	\$ 64,000	80	2 weeks of lawyer time	\$ 128,000	160	4 weeks of lawyer time	
		\$ 1,112,000	1390		\$ 2,128,000	2660		
Pleadings & Motions								
				Briefing: 450 associate hours, 120 partner hours, 285 total hours for reply (half of the opening) Oral argument: 40 associate hours prepping, 40 arguing partner prepping, 40 other partner mootng			Briefing: 550 associate hours, 150 partner hours, 350 total hours for reply (half of opening) Oral arg: 40 associate hours, 40 partner, 40 other partner mootng	
	MTD	\$ 1,463,200	1829	Appeal: 854 hours total (10% less than the underlying motion and argument)	\$ 1,816,000	2270	Appeal: 1050 (10% less than the underlying motion and argument)	
				Initial drafting: 2 weeks of associate time to draft, 1 additional associate week to review, 2 partners 20 hours each Counterclaims: two weeks associate time, 20 hours of senior associate review, 30 hours of partner review	\$ 328,000	410	Initial drafting: 3 weeks of associate time, 1.5 additional associate weeks to review, 1 partner week to review, additional partner 20 hours review Counterclaims: 2.5 weeks of associate time, 1 week senior associate review, 30 hours of partner review	
	Answer	\$ 232,000	290					
	MTS/MTD	\$ 184,000	230	60 hours of associate time to draft, 40 associate hours to review, 40 hours of partner to review Oral argument: 30 partner hours to prepare, 40 associate hours to prepare, 20 hours (10 each for 2 attorneys) to attend the oral argument	\$ 240,000	300	80 associate hours to draft, 60 senior associate hours to review, 40 partner hours to review Oral argument: 40 partner hours to prep, 60 associate hours to prep, 20 hours to attend (2 attorneys)	
	Conferences	\$ 86,400	108	3 conferences per year for 3 years of litigation. 2 attorney will attend each conference, 4 hours per attorney to attend. 1 partner hour to prepare and 3 associate hours to prepare	\$ 136,800	171	6 hours per attorney to attend, 2 hours of partner prep time, 5 hours of associate prep time	
				Opening brief: 4 associates working 150 hours per month for 2 months, 2 partners spend 60 hours each reviewing and drafting, 40 senior partner review hours, 20 partner hours split among the rest of the team to review Reply: 50% of opening brief Oral Arg: 80 associate hours to prep, 40 arguing partner hours to prep, 40 hours of other partner(s) to prep/moot, 30 hours total for all lawyers to attend argument	\$ 2,864,000	3580	Assume cross motions for summary judgment, creating one more round of briefing: 4 associates work for 1 month each, 40 partner hours, 20 other partner(s) hours, for a total of 660 additional hours	
	Summary Judgment	\$ 1,808,000	2260					
	Other	\$ 96,000	120	1 week per year for 3 years of attorney time	\$ 192,000	240	2 weeks per year for 3 years of attorney time	
		\$ 3,869,600	4837		\$ 5,576,800	6971		
Discovery								
				Drafting: 1 associate for 1 week, another associate for 20 hours to review, partner 20 hours to review Responding: 2 associates for 2 weeks each, 40 partner hours to review, 10 senior partner hours to review Meet and confer: 1 hour session, 1 partner and 1 associate at each session, 8 sessions over 3 years, 1 hour of prep time per lawyer per session			Drafting: 1 associate for 1.5 weeks, 30 additional associate hours, 20 partner hours Responding: 2 associates for 3 weeks each, 60 partners hours to review, 15 senior partner hours to review Meet and confer: 1.5 hour session, 1 partner and 1 associate at each session, 8 sessions over 3 years, 1.5 hours of prep time per lawyer per session	
	Fact - Written	\$ 257,600	322					
				Defensive review, first level: 10 document review attorneys (billing at \$350/hour each) work 2 months each Defensive review, second level: 5 document review attorneys work for 1 month Defensive review, third level: 5 associates/partners (billing at \$850/hour each) work for 1 month Offensive review, first level: 5 document review attorneys for 1 month * Offensive review, second level : 5 associates for 1 month				
	Fact - Doc Prod/Review	\$ 2,775,000	*		\$ 4,762,500	**	1 additional month of work for the 10 document review attorneys and an additional 2 months of work for 5 associates	
	Fact - Depositions (40)	\$ 2,880,000	3600	Per deposition: 40 associate hours of prep, 30 partner hours of prep, 20 hours for the actual deposition (10 hours times 2 lawyers) times 40 depositions	\$ 3,680,000	4600	Per deposition: 60 associate hours of prep, 35 partner hours of prep, 20 hours for actual deposition, times 40 depositions	

